

Message Text

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ORIGIN EA-10

INFO OCT-01 ISO-00 L-02 EB-07 SS-15 COME-00 SCS-03 SCA-01

TRSE-00 OMB-01 CIAE-00 INR-07 NSAE-00 SP-02 AID-05

H-01 NSC-05 /060 R

DRAFTED BY EA/IMS:ARDORNHEIM:CCH

APPROVED BY EA/IMS:EDWARD C. INGRAHAM

L/C - MR. HENDERSON (INFO)

L/EB - MR. BOND (INFO)

L/EA - MR. ROH (INFO)

EB/IFD/OIA - MR. BRODERICK (INFO)

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R 242002Z PEB 75

FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA

C O N F I D E N T I A L STATE 041164

E.O. 11652: GDS

TAGS: CPRS, BEXM, EINV, ETRD, ID

SUBJECT: P.T. BAUD CASE

REFS: A) JAKARTA 2225 B) JAKARTA 2211

1. AMBASSADOR'S SUGGESTION (PARA 6 REF B) CONVEYED TO SULLIVAN FEB 24. HE REACTED NEGATIVELY. INDONESIANS SHOULD BE TRAVELLING HERE, HE ASSERTED.

2. SULLIVAN CHARACTERIZED WARDHANA JANUARY 28 LETTER AS "IRRESPONSIBLE", "UNJUST", "INSULTING", AND "TOTALLY DISHONEST". RE KEY POINT MADE PARA 3 REF A THAT P.T. BAUD HAD NOT FILED CLAIMS FOR COMPENSATION WITHIN DEADLINES PRESCRIBED BY LAW, FOR EXAMPLE, SULLIVAN CITED DEPOSITION ALLEGEDLY MADE RECENTLY BEFORE U.S. CONSUL IN PARIS BY MAN WHO IS NOW TELEDYNE REGIONAL MANAGER IN EUROPE BUT WHO STATES HE WAS SEA OIL EXECUTIVE VICE PRESIDENT IN 1959 AND BY HAPPENSTANCE IN JAKARTA AT TIME OF GAZETTING OF 1958

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LAW ON ABOLITION OF PRIVATE LANDHOLDINGS. THIS MAN REPORTEDLY DEPOSES HE DID FILE CLAIM WITHIN PRESCRIBED 30-DAY PERIOD. SULLIVAN ASSERTS THAT THIS DULY FILED CLAIM AS WELL AS SEVERAL OTHER KEY DOCUMENTS SUPPORTING BAUD'S CONTENTIONS WERE AMONG FILES SEIZED BY GOI AND TO WHICH SEA OIL HAS NEVER BEEN GRANTED LATER ACCESS.

3. SULLIVAN FEELS HE WAS MET WITH A LOT OF TALK BUT NO SERIOUS ATTEMPT AT NEGOTIATION DURING HIS THREE 1974 TRIPS TO JAKARTA AND HIS PATIENCE IS EXHAUSTED. IF INDONESIANS "WANT IT ROUGH, THEY WILL GET IT ROUGH", HE SAID. MALIK ALLEGEDLY TOLD HIM BAUD CLAIM WAS "VALID" AND THAT HE (MALIK) HAD BEEN PUSHING 4-5 YEARS FOR SETTLEMENT BUT TO NO AVAIL.

4. FORMER SECRETARY ROGERS (WHO HAS BEEN SULLIVAN'S LAWYER FOR TWO DECADES) IS EXPECTED BACK FROM ABROAD FEB 27. LEGAL BRIEF IS SCHEDULED TO BE READY FOR HIS REVIEW BY THEN.

5. WE HAVE ASKED SULLIVAN FOR COURTESY OF ADVANCE RECEIPT OF ROGERS BRIEF AND THAT HE AGREE TO A WEEK'S DELAY BEFORE HE CIRCULATES BRIEF TO GIVE US TIME TO EXAMINE IT. SULLIVAN WAS NONCOMITTAL. KISSINGER

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NNN

*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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Margaret P. Grafeld
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To: JAKARTA
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